

REMARKS

This communication timely responds to the Office Action dated October 11, 2005. In order to expedite prosecution, applicants propose to amend Claim claim 46, incorporating elements from claim 47, and cancel claim 47. It is respectfully submitted that the claim amendment would overcome the outstanding "lack of enablement" rejections of the claims under 35 U.S.C. § 112, ¶ 1, and place this application in condition for allowance. Entry of the claim amendment and favorable reconsideration of the claims are respectfully requested.

Claim 47 has been indicted to be free of the prior art, which applicants acknowledged with appreciation. Claim 46, as amended, incorporates all elements of Claim 47, and as such would also be free of the prior art, and so would be all claims depending therefrom. In other words, all claim rejections under 35 U.S.C. § 102(a) and § 103(a) are obviated by the claim amendments.

The Office Action further rejected claim 47 under 35 U.S.C. § 112, ¶ 1, allegedly because of non-compliance with 37 C.F.R. §§ 1.801-1.809. Specifically, the Office Action states that applicants have not indicated that depositor-imposed limitations on the deposited mouse hybridoma cell lines would be irrevocably removed upon granting of this application. In response, applicants hereby state that the deposit of mouse hybridoma cell lines under the accession numbers ATCC No. PTA-3651, ATCC No. PTA-3652, ATCC No. PTA-3653, and ATCC No. HB12698 were made in compliance of 37 C.F.R. § 1.808, or that, subject to conditions specified in 37 C.F.R. § 1.808(b), all restrictions imposed by

depositors on the above deposited cell lines on the availability to the public will irrevocably removed upon the granting of the patent.

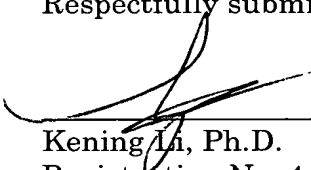
In view of the foregoing amendments and remarks, the application is respectfully submitted to be in condition for allowance, and prompt, favorable action thereon is earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned at (202) 624-2899 would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #029065.44660D2).

Respectfully submitted,

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